

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 FEDERAL TRADE COMMISSION,

12 Plaintiff,

13 v.

14 MICROSOFT CORPORATION and
15 ACTIVISION BLIZZARD, INC.,

16 Defendants.
17
18
19
20
21
22
23
24
25
26
27
28

Case No. 3:23-cv-02880-JSC

**[PROPOSED] ORDER GRANTING IN
PART PLAINTIFF FEDERAL TRADE
COMMISSION’S ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY’S MATERIAL
SHOULD BE SEALED [ECF NO. 226]**

Dept.: Courtroom 8—19th Floor

Judge: Honorable Jacqueline S. Corley

This matter came before the Court on Plaintiff Federal Trade Commission's ("FTC") Administrative Motion to Consider Whether Another Party's Material Should be Sealed (ECF No. 226) in connection with the Direct Testimony of Robin S. Lee, PhD (hereafter, "Lee Testimony") (ECF No. 224). Having considered the FTC's Motion, Defendant Microsoft Corporation's Statement in Response, and the Declaration of Alysha Bohanon in support, the Court hereby orders that the Motion is **GRANTED** as follows:

Document	Portions to be Filed Under Seal	Ruling
Lee Testimony	Page 9, ¶ 26, portion of paragraph line 4	
Lee Testimony	Page 11, ¶ 29, portions of lines 1-4	
Lee Testimony	Page 11, ¶ 29, portions of lines 5-10	
Lee Testimony	Page 11, fn. 21, portions lines 5-6	
Lee Testimony	Page 11, fn. 23, portions of lines 2-4	
Lee Testimony	Page 12, ¶ 30, lines 4-5	
Lee Testimony	Page 12, ¶ 31, portion of line 10	
Lee Testimony	Page 13, Figure 1 in its entirety	
Lee Testimony	Page 14, ¶ 35, portions of lines 7-9	
Lee Testimony	Page 15, ¶ 39, portions of lines 2-4	
Lee Testimony	Page 16, ¶ 41, portions of paragraph lines 5-8 (page lines 3-6)	
Lee Testimony	Page 16, ¶ 42, portions of lines 4-5	
Lee Testimony	Page 16, fn. 39, portions of lines 2-3	
Lee Testimony	Page 17, Figure 2	
Lee Testimony	Pages 17-18, ¶ 44, portions of paragraph lines 1-3 and accompanying fn. 41	
Lee Testimony	Page 25, fn. 51, portions of lines 2-4	
Lee Testimony	Page 30, ¶ 83, portions of lines 6-8	

Document	Portions to be Filed Under Seal	Ruling
Lee Testimony	Page 30, ¶ 84, portions of lines 4-5 and portions of accompanying fn. 70 (lines 1-2 and 4-6)	
Lee Testimony	Page 31, ¶ 84, portion of paragraph line 7 (page line 2)	
Lee Testimony	Page 31, fn. 73, portions of lines 1-2	
Lee Testimony	Page 33, Figure 4	
Lee Testimony	Page 33, ¶ 92, portions of lines 2-5	
Lee Testimony	Page 34, fn. 78, portions of lines 1-3	
Lee Testimony	Page 35, fn. 79, portions of lines 3-5	
Lee Testimony	Page 36, fn. 81, portions of lines 3-4	
Lee Testimony	Page 38, ¶ 104, portions of lines 8-12	
Lee Testimony	Page 38, ¶ 105, portions of lines 4-6	
Lee Testimony	Page 38, fn. 82, portion of line 4	
Lee Testimony	Page 40, ¶ 109, portions of lines 2, 3, and 5	
Lee Testimony	Page 40-41, ¶ 110, portions of paragraph lines 6, 7, and 9	
Lee Testimony	Page 43, Figure 5	
Lee Testimony	Page 43, ¶ 117, portion of line 7	
Lee Testimony	Page 44, fn. 87, second paragraph, portions of paragraph lines 2 and 3	
Lee Testimony	Page 46-47, ¶ 126, portions of paragraph lines 8-11	
Lee Testimony	Page 47, ¶ 127, third bullet	
Lee Testimony	Page 48, fn. 100 (in its entirety)	
Lee Testimony	Page 50, fn. 108, portions of lines 3-9	
Lee Testimony	Page 51-52, ¶ 140, paragraph lines 1-7 and accompanying fn. 110 (in its entirety)	
Lee Testimony	Page 55, ¶ 148, lines 1-6	

Document	Portions to be Filed Under Seal	Ruling
Lee Testimony	Page 55, ¶ 149 (in its entirety)	
Lee Testimony	Page 56, ¶ 153, portions of lines 2-5	
Lee Testimony	Page 58, ¶ 156, first bullet on page 58	
Lee Testimony	Page 58, Figure 8	
Lee Testimony	Page 62, ¶ 171, portions of lines 2-7	
Lee Testimony	Page 65, fn. 137, lines 1-10	
Lee Testimony	Page 65, fn. 138, portions of lines 2-4	
Lee Testimony	Page 66, ¶ 188, portion of line 4	
Lee Testimony	Page 68, ¶ 194, first bullet, portions of lines 2-5	
Lee Testimony	Pages 68-69, ¶ 194, second bullet (in its entirety)	
Lee Testimony	Page 68, fn. 147, portions of lines 1-3	
Lee Testimony	Pages 68-69, ¶ 194, third bullet (in its entirety)	
Lee Testimony	Page 69, ¶ 195, lines 3-5	
Lee Testimony	Page 69, ¶ 195, portions of lines 3-8	
Lee Testimony	Page 69, fn. 154 (in its entirety)	
Lee Testimony	Page 72, fn. 164, lines 1-3	
Lee Testimony	Page 73, ¶ 205, portions of lines 2-4	
Lee Testimony	Page 9, ¶ 26, portion of paragraph line 4	
Lee Testimony	Page 11, ¶ 29, portions of lines 1-4	
Lee Testimony	Page 11, ¶ 29, portions of lines 5-10	
Lee Testimony	Page 11, fn. 21, portions lines 5-6	
Lee Testimony	Page 11, fn. 23, portions of lines 2-4	
Lee Testimony	Page 12, ¶ 30, lines 4-5	

Document	Portions to be Filed Under Seal	Ruling
Lee Testimony	Page 12, ¶ 31, portion of line 10	
Lee Testimony	Page 13, Figure 1 in its entirety	
Lee Testimony	Page 14, ¶ 35, portions of lines 7-9	
Lee Testimony	Page 15, ¶ 39, portions of lines 2-4	
Lee Testimony	Page 16, ¶ 41, portions of paragraph lines 5-8 (page lines 3-6)	
Lee Testimony	Page 16, ¶ 42, portions of lines 4-5	
Lee Testimony	Page 16, fn. 39, portions of lines 2-3	
Lee Testimony	Page 17, Figure 2	
Lee Testimony	Pages 17-18, ¶ 44, portions of paragraph lines 1-3 and accompanying fn. 41	
Lee Testimony	Page 25, fn. 51, portions of lines 2-4	
Lee Testimony	Page 30, ¶ 83, portions of lines 6-8	
Lee Testimony	Page 30, ¶ 84, portions of lines 4-5 and portions of accompanying fn. 70 (lines 1-2 and 4-6)	
Lee Testimony	Page 31, ¶ 84, portion of paragraph line 7 (page line 2)	
Lee Testimony	Page 31, fn. 73, portions of lines 1-2	
Lee Testimony	Page 33, Figure 4	
Lee Testimony	Page 33, ¶ 92, portions of lines 2-5	
Lee Testimony	Page 34, fn. 78, portions of lines 1-3	
Lee Testimony	Page 35, fn. 79, portions of lines 3-5	
Lee Testimony	Page 36, fn. 81, portions of lines 3-4	
Lee Testimony	Page 38, ¶ 104, portions of lines 8-12	
Lee Testimony	Page 38, ¶ 105, portions of lines 4-6	
Lee Testimony	Page 38, fn. 82, portion of line 4	

Document	Portions to be Filed Under Seal	Ruling
Lee Testimony	Page 40, ¶ 109, portions of lines 2, 3, and 5	
Lee Testimony	Page 40-41, ¶ 110, portions of paragraph lines 6, 7, and 9	
Lee Testimony	Page 43, Figure 5	

IT IS SO ORDERED.

DATED: _____, 2023

Honorable Jacqueline S. Corley
United States District Judge